

IN THE UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF GUAM

UNITED STATES OF AMERICA,
Plaintiff,

vs.

MICHAEL ATOIGUE BURGOS
Defendant.

Docket No.: CR 05-00007-001

DECLARATION IN SUPPORT OF PETITION
(Supplemental)

FILED
DISTRICT COURT OF GUAM
AUG - 4 2005

Re: Violation of Pretrial Release Conditions

MARY L.M. MORAN
CLERK OF COURT

I, John W. San Nicolas II, am a U.S. Probation Officer assisting in the supervision of the Court-ordered conditions of pretrial release for Michael Atoigue Burgos, and in that capacity declare as follows:

Special Condition: *The defendant shall refrain from use or unlawful possession of a narcotic drug or other controlled substances.* On August 3, 2005, Mr. Burgos tested presumptive positive for methamphetamine at the U.S. Probation Office. He executed an admission form, admitting to using "ice" on July 30, 2005.

Recommendation: This report is submitted for the Court's information. A Petition for Action and Declaration in Support of Petition was filed on July 27, 2005. The hearing in this matter has been scheduled for Thursday, August 4, 2005.

Executed this 4th day of August 2005, at Hagatna, Guam, in conformance with provisions of Title 28 U.S.C. § 1746.

I declare under penalty of perjury, that the foregoing is true and correct, except those matters stated upon information and belief, and as to those matters, I believe them to be true.

RESPECTFULLY submitted this 4th day of August 2005.

FRANK MICHAEL CRUZ
Chief U.S. Probation Officer

By:


JOHN W. SAN NICOLAS II
U.S. Probation Officer

Reviewed by:


ROSSANNA VILLAGOMEZ-AGUON
U.S. Probation Officer
Supervision Unit Leader

cc: Marivic P. David, AUSA
John T. Gorman, Federal Public Defender
File